

HOUSE BILL NO. 439

INTRODUCED BY P. CLARK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE QUALIFICATIONS OF THE MEMBERS OF THE FISH, WILDLIFE, AND PARKS COMMISSION; AMENDING SECTION 2-15-3402, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-15-3402, MCA, is amended to read:

"2-15-3402. Fish, wildlife, and parks commission -- composition -- qualifications -- quasi-judicial.

(1) There is a fish, wildlife, and parks commission.

(2) The commission consists of the following five members:-

(a) one member who possesses experience in fisheries biology or 5 years of active fish management experience;

(b) one member who possesses experience in wildlife biology or 5 years of active wildlife management experience;

(c) one member who represents the general public hunting and fishing community, possesses a minimum of 5 years of active involvement in promoting the public's interest in hunting and fishing in Montana, and has no commercial interest in wildlife management;

(d) ~~At least one one member must be~~ who is experienced in the breeding and management of domestic livestock or is a major landowner with habitat capable of sustaining fish or game-; and

(e) one member who is a licensed attorney with experience related to management of public natural resources.

(3) The governor shall appoint one member from each of the following districts:

(a) District No. 1, consisting of Lincoln, Flathead, Sanders, Lake, Mineral, Missoula, Powell, Ravalli, Granite, and Lewis and Clark Counties;

(b) District No. 2, consisting of Deer Lodge, Silver Bow, Beaverhead, Madison, Jefferson, Broadwater, Gallatin, Park, and Sweet Grass Counties;

(c) District No. 3, consisting of Glacier, Toole, Liberty, Hill, Pondera, Teton, Chouteau, Cascade, Judith

1 Basin, Fergus, Blaine, Meagher, and Wheatland Counties;

2 (d) District No. 4, consisting of Phillips, Valley, Daniels, Sheridan, Roosevelt, Petroleum, Garfield,
3 McCone, Richland, Dawson, and Wibaux Counties;

4 (e) District No. 5, consisting of Golden Valley, Musselshell, Stillwater, Carbon, Yellowstone, Big Horn,
5 Treasure, Rosebud, Custer, Powder River, Carter, Fallon, and Prairie Counties.

6 ~~(3)~~(4) Appointments must be made without regard to political affiliation and must be made solely for the
7 wise management of the fish, wildlife, and state parks and other outdoor recreational resources of this state. A
8 person may not be appointed to the commission unless ~~he~~ that person is informed or interested and experienced
9 in the subject of wildlife, fish, parks, and outdoor recreation and the requirements for the conservation and
10 protection of wildlife, fish, parks, and outdoor recreational resources.

11 ~~(4)~~(5) A vacancy occurring on the commission must be filled by the governor in the same manner and
12 from the district in which the vacancy occurs.

13 ~~(5)~~(6) The fish, wildlife, and parks commission is designated as a quasi-judicial board for purposes of
14 2-15-124. ~~Notwithstanding the provisions of 2-15-124(1), the governor is not required to appoint an attorney to~~
15 ~~serve as a member of the commission."~~

16

17 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

18

- END -